

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

SHOLEKA HILL and CHARLES FULKNER, w/h

(b) County of Residence of First Listed Plaintiff Philadelphia County, PA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Robert N. Braker, Esquire
Michael A. Pileggi, Esquire
Saltz Mongeluzzi & Bendesky, P.C.
One Liberty Place, 52nd Floor
1650 Market Street, Philadelphia, PA 19103

DEFENDANTS

7-Eleven, Inc. (also incorrectly identified as 7-Eleven)

County of Residence of First Listed Defendant Dallas County, TX

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Robert W. Stanko, Esquire
Andrew C. Goldstein, Esquire
Marshall Dennehey Warner Coleman & Goggin
2000 Market Street, Suite 2300, Philadelphia, PA 19103

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff 3 Federal Question
(U.S. Government Not a Party)

2 U.S. Government Defendant 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)

	PTF	DEF	PTF	DEF
Citizen of This State	X	1	Incorporated or Principal Place of Business In This State	4 4
Citizen of Another State	2	2	Incorporated and Principal Place of Business In Another State	5 X
Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark
			<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
			<input type="checkbox"/> 791 Employee Retirement Income Security Act	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District 6 Multidistrict Litigation - (specify) Transfer 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION	Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):	
	Brief description of cause:	Plaintiff alleges various injuries as a result of an alleged slip and fall incident.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ Excess of

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No**RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
(b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
(c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. **Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. **Origin.** Place an "X" in one of the seven boxes.
Original Proceedings. (1) Cases which originate in the United States district courts.
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P. Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction. Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. **Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

DESIGNATION FORM

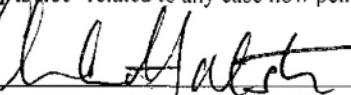
(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 1951 N. Croskey Street, Philadelphia, PA 19121Address of Defendant: 3200 Hackberry Road, Irving, Texas 75063Place of Accident, Incident or Transaction: 3300 Aramingo Avenue, Philadelphia, PA 19134**RELATED CASE, IF ANY:**

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when **Yes** is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes No
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes No
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? Yes No
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? Yes No

I certify that, to my knowledge, the within case is / is not related to any case now pending or within one year previously terminated action in this court except as noted above.DATE: 5/12/2022
Attorney-at-Law/Pro Se Plaintiff

315412

Attorney I.D. # (if applicable)

CIVIL: (Place a ✓ in one category only)**A. Federal Question Cases:**

- 1. Indemnity Contract, Marine Contract, and All Other Contracts
- 2. FELA
- 3. Jones Act-Personal Injury
- 4. Antitrust
- 5. Patent
- 6. Labor-Management Relations
- 7. Civil Rights
- 8. Habeas Corpus
- 9. Securities Act(s) Cases
- 10. Social Security Review Cases
- 11. All other Federal Question Cases
(Please specify): _____

B. Diversity Jurisdiction Cases:

- 1. Insurance Contract and Other Contracts
- 2. Airplane Personal Injury
- 3. Assault, Defamation
- 4. Marine Personal Injury
- 5. Motor Vehicle Personal Injury
- 6. Other Personal Injury (Please specify): premises liability
- 7. Products Liability
- 8. Products Liability – Asbestos
- 9. All other Diversity Cases
(Please specify): _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, _____, counsel of record or pro se plaintiff, do hereby certify:

- Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- Relief other than monetary damages is sought.

DATE: _____

Attorney-at-Law / Pro Se Plaintiff

Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHOLEKA HILL and	:	CIVIL ACTION
CHARLES FULKNER, w/h	:	
	:	
v.	:	
	:	
7-ELEVEN, INC. and	:	NO.
7-ELEVEN and	:	
JOHN DOE (1-2)	:	

NOTICE OF REMOVAL

**TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT
COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA:**

Defendant, 7-Eleven, Inc. (also incorrectly identified as 7-Eleven), by and through its attorneys, Marshall Dennehey Warner Coleman & Goggin, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, files the instant Notice of Removal of a certain action pending in the Philadelphia Court of Common Pleas, and in support thereof states as follows:

1. 7-Eleven, Inc. is named as a defendant in an action captioned Sholeka Hill and Charles Fulkner, w/h v. 7-Eleven, Inc. and 7-Eleven, Case ID 220400655, which is pending in the Philadelphia Court of Common Pleas (hereinafter, the “State Court”). A true and correct copy of Plaintiffs’ Civil Action Complaint is attached hereto as Exhibit “A.”
2. Plaintiffs’ Complaint names 7-Eleven, Inc. and “7-Eleven” as defendants.
3. 7-Eleven is a fictitious name and is not a business entity.
4. Accordingly, 7-Eleven, Inc. entered its appearance in State Court as follows: “7-Eleven, Inc. (also incorrectly identified as 7-Eleven).” A true and correct copy of the Entry of Appearance is attached hereto as Exhibit “B.”

5. Indeed, Plaintiffs allege in the Complaint that: “Defendant, 7-Eleven, is a business entity organized and existing under the laws of the Commonwealth of Pennsylvania, and which at all times relevant hereto, engaged in regular, systematic, continuous and substantial business within Philadelphia County with its principal place of business located at 3300 Aramingo Avenue, Philadelphia, PA 19134.” *See Ex. A, ¶4.*

6. A search of the Pennsylvania Department of State website confirms that no such entity exists. *See Ex. C.*

7. Thus, the only proper defendant in the instant action is 7-Eleven, Inc.

8. 7-Eleven, Inc. received the Complaint in the State Court action on April 15, 2022, via regular mail. A true and correct copy of Plaintiffs’ cover letter, along with confirmation of receipt, is attached hereto as Exhibit “D.”¹

9. In accordance with 28 U.S.C. §1446(a), the foregoing Complaint is, upon information and belief, the only process, pleading, or order in the State Court action served upon 7-Eleven, Inc. Docket entries from the State Court action are attached hereto as Exhibit “E.”

10. 7-Eleven, Inc. desires to remove this action to this Court and submits this Notice along with the exhibits, in accordance with 28 U.S.C. §§1332, 1441 and 1446.

11. In accordance with 28 U.S.C. §1446(b), this Notice of Removal is timely as it is filed within thirty (30) days of receipt of the Complaint. *See Ex. D; Delalla v. Hanover Ins., 660 F.3d 180 (3d Cir. 2011).*

12. This Court has subject matter jurisdiction over this action under 28 U.S.C. §1332(a) because it is between citizens of different states and the amount in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs.

¹ Plaintiffs have not yet filed an Affidavit of Service.

13. Plaintiffs, Sholeka Hill and Charles Fulkner, are, upon information and belief based on their address in Philadelphia, Pennsylvania as set forth in the Complaint, citizens of Pennsylvania. *See Ex. A, at ¶1, 2.*

14. 7-Eleven, Inc. is a corporation organized and existing under the laws of the State of Texas with its principal place of business located at 3200 Hackberry Road, Irving, TX 75063. It is, therefore, a citizen of Texas.

15. Plaintiff, Sholeka Hill, alleges various “serious, disabling and permanent personal injuries: she sustained a right foot cuboid fracture; she sustained a right foot navicular fracture; she suffered posttraumatic right ankle arthritis; she suffered right subtalar joint arthritis; she suffered right ankle instability; she underwent surgery in the form of a right ankle arthroscopy, lateral ankle stabilization, and ORIF of navicular and cuboid fracture on October 9, 2020” *See Ex. A, ¶12.* Plaintiff, Charles Fulkner, asserts a claim for loss of consortium. Plaintiffs allege damages in excess of \$50,000.00, but do not specify an amount of damages sought. Plaintiffs expressly rejected a proposed stipulation that their alleged damages at issue were \$75,000.00 or less. Therefore, the amount in controversy exceeds \$75,000.00.

16. “[A] defendant’s notice of removal need include only a plausible allegation that the amount in controversy exceeds the jurisdictional threshold. Evidence establishing the amount is required by §1446(c)(2)(B) only when the plaintiff contests, or the court questions, the defendant’s allegation.” *Dart Cherokee Basin Operating Co., LLC v. Owens*, 574 U.S. 81, 89 (2014); *see also* 28 U.S.C. § 1446(c)(2)(A) (providing that the notice of removal may assert the amount in controversy if the complaint demands relief in excess of an amount pled).

17. Removal to this Court is proper under 28 U.S.C. 1441(a) because the State Court is located within the boundaries of the United States District Court for the Eastern District of Pennsylvania.

18. Written notice of the filing of this Notice of Removal will be provided to Plaintiffs, and a copy of this Notice of Removal and supporting papers will be filed with the Clerk of the State Court, as provided by 28 U.S.C. § 1446(d).

WHEREFORE, Defendant, 7-Eleven, Inc. (also incorrectly identified as 7-Eleven), prays that the above-described action pending against it in State Court be removed to this Court.

Respectfully submitted,

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN**

BY: 

Robert W. Stanko, Esquire
Andrew C. Goldstein, Esquire
Attorneys for Defendant,
7-Eleven, Inc. (also incorrectly
identified as 7-Eleven)

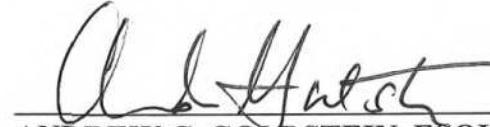
Dated: May 12, 2022

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

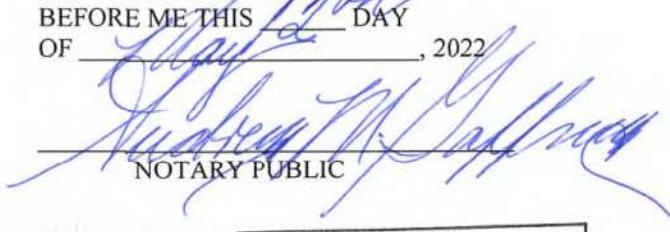
SHOLEKA HILL and	:	CIVIL ACTION
CHARLES FULKNER, w/h	:	
	:	
v.	:	
	:	
7-ELEVEN, INC. and	:	NO.
7-ELEVEN and	:	
JOHN DOE (1-2)	:	

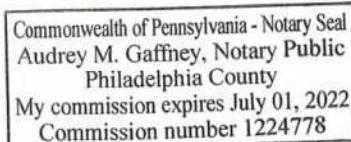
AFFIDAVIT

ANDREW C. GOLDSTEIN, ESQUIRE, being duly sworn according to law deposes and states that the facts set forth in the foregoing Notice of Removal are true and correct to the best of his knowledge, information, and belief.


ANDREW C. GOLDSTEIN, ESQUIRE

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 2nd DAY
OF May, 2022,


NOTARY PUBLIC

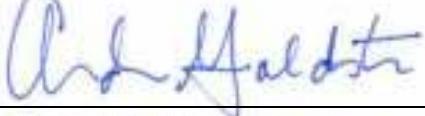


CERTIFICATE OF SERVICE

I do hereby certify that I have served upon all persons listed below a true and correct copy of the foregoing Notice of Removal, in the above-captioned matter on this date by the Court's electronic filing system:

Robert N. Braker, Esquire
Michael A. Pileggi, Esquire
Saltz Mongeluzzi & Bendesky, P.C.
One Liberty Place, 52nd Floor
1650 Market Street
Philadelphia, PA 19103

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN**

BY: 

Robert W. Stanko, Esquire
Andrew C. Goldstein, Esquire
Attorneys for Defendant,
7-Eleven, Inc. (also incorrectly
identified as 7-Eleven)

Dated: May 12, 2022

EXHIBIT “A”

Court of Common Pleas of Philadelphia County
Trial Division

Civil Cover Sheet

For Prothonotary Use Only (Docket Number)	
APRIL 2022	
E-Filing Number: 2204016050	
000655	

PLAINTIFF'S NAME SHOLEKA HILL		DEFENDANT'S NAME 7-ELEVEN, INC.		
PLAINTIFF'S ADDRESS 1951 N. CROSKEY STREET PHILADELPHIA PA 19121		DEFENDANT'S ADDRESS 3200 HACKBERRY ROAD IRVING TX 75063		
PLAINTIFF'S NAME CHARLES FULKNER		DEFENDANT'S NAME 7-ELEVEN		
PLAINTIFF'S ADDRESS 1951 N. CROSKEY STREET PHILADELPHIA PA 19121		DEFENDANT'S ADDRESS 3300 ARAMINGO AVENUE PHILADELPHIA PA 19134		
PLAINTIFF'S NAME		DEFENDANT'S NAME JOHN DOE (1-2)		
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS N/A N/A PA N/A		
TOTAL NUMBER OF PLAINTIFFS 2	TOTAL NUMBER OF DEFENDANTS 3	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions		
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input checked="" type="checkbox"/> Jury <input type="checkbox"/> Non-Jury <input type="checkbox"/> Other:	<input type="checkbox"/> Mass Tort <input type="checkbox"/> Savings Action <input type="checkbox"/> Petition	<input type="checkbox"/> Commerce <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Statutory Appeals	<input type="checkbox"/> Settlement <input type="checkbox"/> Minors <input type="checkbox"/> W/D/Survival
CASE TYPE AND CODE 2S - PREMISES LIABILITY, SLIP/FALL				
STATUTORY BASIS FOR CAUSE OF ACTION				
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER) FILED PRO PROTYPY APR 08 2022 S. RICE				IS CASE SUBJECT TO COORDINATION ORDER? YES NO

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: SHOLEKA HILL , CHARLES FULKNER

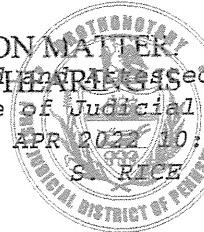
Papers may be served at the address set forth below.

NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY MICHAEL A. PILEGGI		ADDRESS 1650 MARKET STREET 52ND FLOOR PHILADELPHIA PA 19103
PHONE NUMBER (215) 496-8282	FAX NUMBER (215) 496-0999	
SUPREME COURT IDENTIFICATION NO. 320569		E-MAIL ADDRESS mpileggi@smob.com
SIGNATURE OF FILING ATTORNEY OR PARTY MICHAEL PILEGGI		DATE SUBMITTED Friday, April 08, 2022, 10:01 am

THIS IS NOT AN ARBITRATION MATTER
 ASSESSMENT OF DAMAGES HEARING REQUESTED by the
 Office of Judicial Records
 REQUIRED.

08 APR 2022 10:51 am

S. RICE



SALTZ MONGELUZZI & BENDESKY P.C.
 BY: ROBERT N. BRAKER/MICHAEL A. PILEGGI
 IDENTIFICATION NOS. 62583/320569
 1650 MARKET STREET
 52ND FLOOR
 PHILADELPHIA, PENNSYLVANIA 19103
 P: (215) 496-8282 / F: (215) 496-0999

ATTORNEYS FOR PLAINTIFFS

**SHOLEKA HILL and CHARLES
 FULKNER, w/h**
 1951 N. Croskey St
 Philadelphia, PA 19121

Plaintiffs,

v.

7-ELEVEN, INC.
 3200 Hackberry Road
 Irving, TX 75063

AND

7-ELEVEN
 3300 Aramingo Avenue
 Philadelphia, PA 19134

AND

JOHN DOE (1-2)

Defendants.

**PHILADELPHIA COUNTY
 COURT OF COMMON PLEAS
 CIVIL DIVISION**

TERM, 2022

No.:

JURY TRIAL DEMANDED

NOTICE TO PLEAD

NOTICE	AVISO
<p>You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by an attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.</p> <p>"YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.</p> <p><u>THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.</u> <u>IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.</u></p> <p>PHILADELPHIA BAR ASSOCIATION LAWYER REFERRAL and INFORMATION SERVICE One Reading Center Philadelphia, Pennsylvania 19107 (215) 238-1701</p>	<p>Le han demandado en corte. Si usted quiere defenderse contra las demandas nombradas en las páginas siguientes, tiene veinte (20) días, a partir de recibir esta demanda y la notificación para entablar personalmente o por un abogado una comparecencia escrita y también para entablar con la corte en forma escrita sus defensas y objeciones a las demandas contra usted. Sea avisado que si usted no se defiende, el caso puede continuar sin usted y la corte puede incorporar un juicio contra usted sin previo aviso para conseguir el dinero demandado en el pleito o para conseguir cualquier otra demanda o alivio solicitados por el demandante. Usted puede perder dinero o propiedad u otros derechos importantes para usted.</p> <p>USTED DEBE LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE ABOGADO (O NO TIENE DINERO SUFFICIENTE PARA PAGAR A UN ABOGADO), VAYA EN PERSONA O LLAME POR TELEFONO LA OFICINA NOMBRADA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL. <u>ESTA OFICINA PUDE PROPORCIONARLE LA INFORMACION SOBRE CONTRATAR A UN ABOGADO.</u></p> <p><u>SI USTED NO TIENE DINERO SUFFICIENTE PARA PAGAR A UN ABOGADO, ESTA OFICINA PUDE PROPORCIONARLE INFORMACION SOBRE AGENCIAS QUE OFRECEN SERVICIOS LEGALES A PERSONAS QUE CUMPLEN LOS REQUISITOS PARA UN HONORARIO REDUCIDO O NINGUN HONORARIO.</u></p> <p>ASSOCACION DE LICENDIADOS DE FILADELFIA SERVICO DE REFERENCIA E INFORMACION LEGAL One Reading Center Filadelfia, Pennsylvania 19107 Telefono: (215) 238-1701</p>

COMPLAINT

Plaintiffs, Sholeka Hill and Charles Fulkner, w/h, claim of Defendants, 7-Eleven, Inc. 7-Eleven, and John Doe (1-2), jointly and severally, separate sums in excess of \$50,000.00 in damages wherein the following are true statements:

1. Plaintiff, Sholeka Hill, is an adult individual, citizen of Pennsylvania, who resides at 1951 N. Croskey Street, Philadelphia, PA 19121.
2. Plaintiff, Charles Fulkner, is an adult individual, citizen of Pennsylvania, who resides at 1951 N. Croskey Street, Philadelphia, PA 19121.
3. Defendant, 7-Eleven, Inc. is a business entity organized and existing under the laws of Texas and which at all times relevant hereto, engaged in regular, systematic, continuous and substantial business within Philadelphia County with its principal place of business located at 3200 Hackberry Road, Irving, Texas 75063.
4. Defendant, 7-Eleven, is a business entity organized and existing under the laws of the Commonwealth of Pennsylvania, and which at all times relevant hereto, engaged in regular,

systematic, continuous and substantial business within Philadelphia County with its principal place of business located at 3300 Aramingo Avenue, Philadelphia, PA 19134.

5. Defendant, John Doe (1-2), is an unknown individual, manager, company, controller, franchise, franchisor/franchisee, and/or owner of the property and convenience store known as 7-Eleven located at 3300 Aramingo Avenue, Philadelphia, PA 19134, hereinafter referred to as the “the premises” at the times referenced herein, who Plaintiffs could not identify despite a reasonable search.

6. At all times mentioned herein and material hereto, Defendants, 7-Eleven, Inc. 7-Eleven, and John Doe (1-2), owned, managed, maintained, operated and controlled the property including the interior of the premises located at 3300 Aramingo Avenue, Philadelphia, PA 19134.

7. On August 7, 2020, Defendants, 7-Eleven, Inc. 7-Eleven, and John Doe (1-2), by and through their employees and/or agents were responsible for the proper maintenance and/or removal of any and all hazardous conditions located on and within the premises.

8. At the aforesaid time and place, Defendants’ employees and/or agents, acting within the course of their employment and scope of their authority, caused there to be and allowed there to remain, for a substantial period of time, a pool of liquid on the floor of the premises, and the aforesaid floor was left in a dangerously wet and slippery condition.

9. At the aforesaid time and place, Plaintiff, Sholeka Hill, was lawfully and properly a business invitee to the premises, and while walking on the aforesaid floor, was caused to slip and fall on the slick and slippery liquid condition and to suffer those serious and permanent injuries more specifically set forth hereinafter.

**COUNT I
NEGLIGENCE
SHOLEKA HILL v. ALL DEFENDANTS**

10. Plaintiffs incorporate by reference all the preceding paragraphs as if fully set forth herein.

11. Defendants, 7-Eleven, Inc. 7-Eleven, and John Doe (1-2), by and through their separate and respective agents, employees, servants and/or workers, acting within the course of their employment and scope of their authority, were careless and negligent in:

- a. Leaving the floor in a dangerously wet and slippery condition;
- b. Creating a dangerously wet and slippery condition on the floor;
- c. Failing to cordon off the wet area of the floor;
- d. Failing to maintain the floor of the premises in a proper and safe condition;
- e. Allowing the floor to remain in a slippery condition for an extended period of time;
- f. Failing to warn individuals, including Plaintiff, of the dangerous and slippery nature of the floor;
- g. Failing to safely cordon off and/or use appropriately sized non-skid mats or other devices to make safe the area where a dangerous, slippery condition had accumulated;
- h. Allowing a danger to exist which Defendants knew or should have known would cause injuries to others, including Plaintiff;
- i. Failing to utilize appropriate warning signs/devices to alert individuals, including Plaintiff, of the dangerous condition that existed on said premises;
- j. Failing to take proper action to clean up the dangerous, slippery condition that existed on said premises prior to Plaintiff's fall despite their knowledge of the condition;
- k. Failing to maintain the aforementioned premises reasonably safe for persons such as Plaintiff;

1. Failing to utilize a floor with non-slip properties;
- m. Failing to have proper policies and procedures in place pertaining to cleanup/removal of liquid on the premises which would have prevented harm to business invitees, including Plaintiff; and
- n. Failing to exercise reasonable care under the circumstances.

12. By reason of the carelessness and negligence of Defendants, 7-Eleven, Inc. 7-Eleven, and John Doe (1-2), as aforesaid, by and through their separate and respective agents, employees, servants and/or workers, Plaintiff, Sholeka Hill, was caused to sustain serious, disabling and permanent personal injuries: she sustained a right foot cuboid fracture; she sustained a right foot navicular fracture; she suffered posttraumatic right ankle arthritis; she suffered right subtalar joint arthritis; she suffered right ankle instability; she underwent surgery in the form of a right ankle arthroscopy, subtalar joint arthrotomy, lateral ankle stabilization, and ORIF of navicular and cuboid fracture on October 9, 2020; she sustained scarring; she sustained an acute lumbosacral sprain/strain; she sustained a right knee sprain/strain and contusion; she sustained injury and pain to her left knee; she sustained a sprain/strain of her thoracic spine; she has suffered extreme pain in her foot, ankle, both knees, and lumbar and thoracic spine; she has been required to undergo extensive physical therapy; she has sustained further injury to the bones, muscles, nerves and ligaments of her body, the full extent of which have yet to be determined; she sustained other injuries to her nerves and nervous system; she sustained other orthopedic, neurologic and psychological injuries, the full extent of which has yet to be determined; she has in the past been required and may in the future continue to be required to submit to x-rays, EMGs, MRIs, and other diagnostic studies; she has in the past suffered and may in the future continue to suffer agonizing aches, pains, and mental anguish; she has in the past and may in the future continue to endure pain and suffering; she has in the past and may in the future continue to be disabled from performing

her usual duties, occupations and avocations, all to her great loss and detriment; she has suffered a significant loss of life's pleasures; she has suffered from severe embarrassment and humiliation; she has incurred and will likely continue to incur medical bills indefinitely into the future.

13. By the reason of the carelessness and negligence of Defendants, 7-Eleven, Inc. 7-Eleven, and John Doe (1-2), as aforesaid, Plaintiff, Sholeka Hill, has incurred various expenses, including medical expenses and bills, Plaintiff may be obligated to continue to expend monies and incur further obligations for her medical care and treatment, for an indefinite period of time in the future.

14. Plaintiff, Sholeka Hill, has sustained and makes claim for pain and suffering, loss of physical function, physical, mental and psychological injuries, humiliation and embarrassment, permanent scarring, loss of life's pleasures, loss of past earnings and future earning capacity and any and all other damages to which she is entitled or may be entitled under the laws of the Commonwealth of Pennsylvania.

WHEREFORE, Plaintiff, Sholeka Hill, claims of Defendants, 7-Eleven, Inc. 7-Eleven, and John Doe (1-2), jointly and severally, separate sums in excess of \$50,000.00 in damages and brings this action to recover same.

COUNT II
CHARLES FULKNER v. ALL DEFENDANTS
LOSS OF CONSORTIUM

15. Plaintiffs incorporate by reference the preceding paragraphs as if fully set forth herein.

16. At all times relevant hereto, Plaintiff, Charles Fulkner, was the lawfully wedded husband of Plaintiff, Sholeka Hill.

17. As a result of the injuries sustained by Plaintiff, Sholeka Hill, Plaintiff, Charles Fulkner, has been and will continue to be deprived of the love, assistance, companionship, consortium and society of his wife, Plaintiff, Sholeka Hill, all to his great detriment and loss.

WHEREFORE, Plaintiff, Charles Fulkner, claims of Defendants, 7-Eleven, Inc. 7-Eleven, and John Doe (1-2), jointly and severally, separate sums in excess of \$50,000, and brings this action to recover same.

SALTZ MONGELUZZI & BENDESKY P.C.

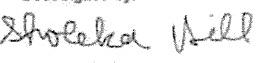
By:


ROBERT N. BRAKER, ESQUIRE
MICHAEL A. PILEGGI, ESQUIRE
Attorneys for Plaintiffs

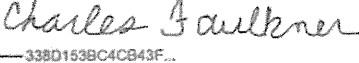
VERIFICATION

We, Sholeka Hill and Charles Fulkner, have read the contents of the Complaint. We verify that the contents are true and correct to the best of our knowledge, information and belief. We understand that this verification is made pursuant to 42 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Date: 4/7/2022

DocuSigned by:

338D153BC4CB43F...

Date: 4/7/2022

DocuSigned by:

338D153BC4CB43F...

CHARLES FULKNER

EXHIBIT “B”

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN**
BY: Robert W. Stanko, Esquire
Identification No.: 208830
BY: Andrew C. Goldstein, Esquire
Identification No.: 315412
2000 Market Street, Suite 2300
Philadelphia PA 19103
(215) 575-2600

PROTHONOTARY
*Filed and Attested by the
Office of Judicial Records
03 MAY 2022 10:38 am
R. SCHREIBER*

Attorneys for Defendant,
7-Eleven, Inc. (also incorrectly
identified as 7-Eleven)

SHOLEKA HILL and
CHARLES FULKNER, w/h

v.

7-ELEVEN, INC. and
7-ELEVEN and
JOHN DOE (1-2)

: COURT OF COMMON PLEAS
: PHILADELPHIA COUNTY
:
: APRIL TERM, 2022
:
: NO. 00655
:
: JURY TRIAL DEMANDED

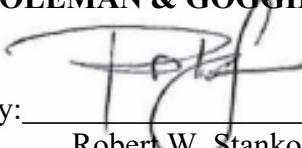
ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter our appearance on behalf of Defendant, 7-Eleven, Inc. (also incorrectly identified as 7-Eleven), in the above-captioned matter.

**MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN**

By: _____


Robert W. Stanko, Esquire
Andrew C. Goldstein, Esquire
Attorneys for Defendant,
7-Eleven, Inc. (also incorrectly
identified as 7-Eleven)

DATE: May 3, 2022

EXHIBIT “C”

Corporations ▾	Search Business Entities (corpsearch.aspx)	Search UCC Transactions (uccsearch.aspx)
Forms ▾	Contact Corporations (http://www.dos.pa.gov/BusinessCharities/Pages/default.aspx)	
Login (https://hub.business.pa.gov/login)		

Search entity / **Select entity** / Order documents

Select Business Entity

Search Results for term *7-eleven type: Starting with*

Show **10** entries

Filter Records 

Business Entity Name	Name Type	Address	Entity Number	Entity Type	Status	Citizenship
<u>7 - ELEVEN FOOD STORES, INC.</u>	Current Name	123 S BROAD ST C/O C T CORP SYS PHILADELPHIA Philadelphia PA 19109-0	<u>324888</u>	Business Corporation	Withdrawn - CONSOLIDATED INACTIVE	Foreign
<u>7-ELEVEN</u>	Current Name	191 MICKLEY RD 1116- 17073A WHITEHALL Lehigh PA 18104-0	<u>2455474</u>	Fictitious Names	Active	Domestic
<u>7-ELEVEN #21584</u>	Current Name	18 E HINCKLEY AVE RIDLEY PARK Delaware PA 19078-	<u>3306960</u>	Fictitious Names	Active	Domestic
<u>7-ELEVEN DELAWARE VALLEY FRANCHISE OWNERS ASSOCIATION</u>	Current Name	1621 TWO PENN CENTER PLZ PHILA Philadelphia PA 19102-0	<u>659844</u>	Non-Profit (Non Stock)	Active	Domestic

Business Entity Name	Name Type	Address	Entity Number	Entity Type	Status	Citizenship
<u>7-ELEVEN OF GETTYSBURG, INC.</u>	Current Name	19 N WASHINGTON ST GETTYSBURG Adams PA 17325-0	<u>1516007</u>	PA Close Corporation	Active	Domestic
<u>7-ELEVEN SALES CORPORATION</u>	Current Name	%CORPORATE CREATIONS NETWORK INC. Erie	<u>825442</u>	Business Corporation	Active	Foreign
<u>7-ELEVEN STORES</u>	Current Name	2711 EASTON RD WILLOW GROVE Montgomery PA 19090-0	<u>994165</u>	Fictitious Names	Active	Domestic
<u>7-ELEVEN, INC.</u>	Current Name	%CORPORATE CREATIONS NETWORK INC. Dauphin	<u>336952</u>	Business Corporation	Active	Foreign
<u>7-ELEVEN, INC.</u>	Current Name		<u>2851179</u>	Name Registration	Active-Name is Available	Foreign
<u>7-ELEVEN, INC.</u>	Current Name		<u>2791755</u>	Name Registration	Withdrawn - CONSOLIDATED INACTIVE	Foreign
Showing 1 to 10 of 10 entries					Previous	1 Next
Please click on an entity name or number for viewing details						
<< Back to Search						

EXHIBIT “D”



DELAWARE COUNTY OFFICE
20 WEST THIRD STREET
P.O. BOX 1670
MEDIA, PA 19063
VOICE 610.627.9777
FAX 610.627.9787

ONE LIBERTY PLACE, 52ND FLOOR
1650 MARKET STREET
PHILADELPHIA, PA 19103
VOICE 215.496.8282
FAX 215.496.0999

NEW JERSEY OFFICE
8000 SAGEMORE DRIVE
SUITE 8303
MARLTON, NJ 08053
VOICE 856.751.8383
FAX 856.751.0868

ROBERT N. BRAKER
DIRECT DIAL (215) 575-2985
RBraker@SMBB.COM

MICHAEL A. PILEGGI
DIRECT DIAL (215) 575-3880
Mpileggi@SMBB.COM

MONTGOMERY COUNTY OFFICE
120 GIBRALTAR RD
SUITE 218
HORSHAM, PA 19044
VOICE 215.496.8282
FAX 215.754.4443

April 11, 2022

VIA CERTIFIED & REGULAR MAIL
RETURN RECEIPT REQUESTED
#7018 1130 0000 1878 0289

7-Eleven, Inc.
3200 Hackberry Road
Irving, TX 75063

Re: Sholeka Hill, et al. v. 7-Eleven, Inc., et al.

Dear Sir or Madam:

We are hereby serving you with a Civil Action Complaint filed against you in the Court of Common Pleas of Philadelphia County.

Very truly yours,

SALTZ MONGELUZZI & BENDESKY P.C.

BY: /s/ Michael A. Pileggi
ROBERT N. BRAKER, ESQUIRE
MICHAEL A. PILEGGI, ESQUIRE

RNB/MAP/kg
Enclosure

RECEIVED
APR 15 2022
7-ELEVEN, INC.
LAW OFFICES

EXHIBIT “E”

Docket Report

Case Description

Case ID: 220400655

Case Caption: HILL ETAL VS 7-ELEVEN, INC. ETAL

Filing Date: Friday , April 08th, 2022

Location: CH - City Hall

Case Type: 2S - PREMISES LIABILITY, SLIP/FALL

Status: CLWCM - WAITING TO LIST CASE MGMT CONF

Related Cases

No related cases were found.

Case Event Schedule

No case events were found.

Case Motions

No case motions were found.

Case Parties

Seq #	Assoc	Expn Date	Type	ID	Name
1			ATTORNEY FOR PLAINTIFF	A320569	PILEGGI, MICHAEL A
Address:	1650 MARKET STREET 52ND FLOOR PHILADELPHIA PA 19103 (215)496-8282 (215)496-0999 - FAX mpileggi@smbb.com		Aliases:	<i>none</i>	
2	1		PLAINTIFF	@11376214	HILL, SHOLEKA
Address:	1951 N. CROSKEY STREET PHILADELPHIA PA 19121		Aliases:	<i>none</i>	
3	1		PLAINTIFF	@11376215	FULKNER, CHARLES
Address:	1951 N. CROSKEY		Aliases:	<i>none</i>	

	STREET PHILADELPHIA PA 19121				
4			DEFENDANT	@11376216	7-ELEVEN INC
Address:	3200 HACKBERRY ROAD IRVING TX 75063		Aliases:	<i>none</i>	
5			DEFENDANT	@11376217	7-ELEVEN
Address:	3300 ARAMINGO AVENUE PHILADELPHIA PA 19134		Aliases:	<i>none</i>	
6			DEFENDANT	@11376218	DOE (1-2), JOHN
Address:	N/A N/A PA N/A		Aliases:	<i>none</i>	
7			TEAM LEADER	J461	ANDERS, DANIEL J
Address:	529 CITY HALL PHILADELPHIA PA 19107		Aliases:	<i>none</i>	
8			ATTORNEY FOR DEFENDANT	A208830	STANKO, ROBERT W
Address:	2000 MARKET STREET 23RD FLOOR PHILADELPHIA PA 19103 (215)575-2807 (215)575-0856 - FAX rwstanko@mdwcg.com		Aliases:	<i>none</i>	
9			ATTORNEY FOR DEFENDANT	A315412	GOLDSTEIN, ANDREW C
Address:	MARSHALL DENNEHEY 2000 MARKET ST SUITE 2300 PHILADELPHIA PA 19103 (215)575-2814 (215)575-0856 - FAX ACGoldstein@mdwcg.com		Aliases:	<i>none</i>	

Docket Entries

Check for Threaded Docket

This feature will reduce the docket
to motion related entries only.

Filing Date/Time	Docket Type	Filing Party	Disposition Amount	Approval/Entry Date
08-APR-2022 10:01 AM	ACTIV - ACTIVE CASE			08-APR-2022 11:57 AM
Docket Entry:	E-Filing Number: 2204016050			
08-APR-2022 10:01 AM	CIVIJ - COMMENCEMENT CIVIL ACTION JURY	PILEGGI, MICHAEL A		08-APR-2022 11:57 AM
Documents:	Final Cover			
Docket Entry:	none.			
08-APR-2022 10:01 AM	CMPLC - COMPLAINT FILED NOTICE GIVEN	PILEGGI, MICHAEL A		08-APR-2022 11:57 AM
Documents:	Hill Complaint.pdf			
Docket Entry:	COMPLAINT WITH NOTICE TO DEFEND WITHIN TWENTY (20) DAYS AFTER SERVICE IN ACCORDANCE WITH RULE 1018.1 FILED.			
08-APR-2022 10:01 AM	JURYT - JURY TRIAL PERFECTED	PILEGGI, MICHAEL A		08-APR-2022 11:57 AM
Docket Entry:	12 JURORS REQUESTED.			
08-APR-2022 10:01 AM	CLWCM - WAITING TO LIST CASE MGMT CONF	PILEGGI, MICHAEL A		08-APR-2022 11:57 AM
Docket Entry:	none.			
20-APR-2022 02:09 PM	ATSNF - ATTEMPTED SERVICE - NOT FOUND	PILEGGI, MICHAEL A		20-APR-2022 02:12 PM

Documents:	Hill - Affidavit of Non Service.pdf			
Docket Entry:	7-ELEVEN NOT FOUND ON 04/13/2022. (FILED ON BEHALF OF CHARLES FULKNER AND SHOLEKA HILL)			
27-APR-2022 11:46 AM	CMREI - PRAECIPE TO REINSTATE CMPLT	PILEGGI, MICHAEL A		27-APR-2022 11:47 AM
Documents:	Praecipe to Reinstate.pdf Complaint.pdf			
Docket Entry:	COMPLAINT WITH NOTICE TO DEFEND WITHIN TWENTY (20) DAYS AFTER SERVICE IN ACCORDANCE WITH RULE 1018.1 REINSTATED. (FILED ON BEHALF OF CHARLES FULKNER AND SHOLEKA HILL)			
03-MAY-2022 10:38 AM	ENAPP - ENTRY OF APPEARANCE	STANKO, ROBERT W		03-MAY-2022 10:41 AM
Documents:	Hill - Entry of Appearance.pdf			
Docket Entry:	ENTRY OF APPEARANCE OF ANDREW C GOLDSTEIN AND ROBERT W STANKO FILED. (FILED ON BEHALF OF 7-ELEVEN AND 7-ELEVEN INC)			